




Marc Barreca
U.S. Bankruptcy Judge
(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

IN RE:

B T S INTERNATIONAL, LLC,

Debtor.

NO. 22-10867

ORDER DETERMINING THAT THE
PLAN IS NOT IN DEFAULT

This matter came before the Court on the Motion of B T S International, LLC (“BTS”) for an order determining that it is not in default under its First Amended Chapter 11 Plan of Reorganization (the “Plan” at Doc. 60).

Proper notice was given to Variscite Capital, LLC, which did not file a response. The Court reviewed the material submitted. The Court found that BTS is not in default under the Plan for the following reasons: (a) Plan Articles 7.1 and 7.2 do not contain deadlines for refinancing or for property listing, and therefore BTS cannot be in default based on a failure to refinance or list within 15 days of any particular deadline; (b) the property at issue is listed for sale, so there is no default related to failure to list; and (c) refinancing is not mandatory under the Plan, so there is no default related to failure to refinance. For these reasons, now, therefore, it is hereby

ORDER - Page 1 of 2

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1 ORDERED that the Motion is granted in all respects. The Court determines that BTS is not in
2 default under the Plan. It is further

3 ORDERED that Creditor Variscite Capital, LLC may not claim any fees or expenses against
4 BTS as part of its claim under 11 USC § 506 related to the asserted default or this motion.

5 // End of Order //

6 Presented by:

7 WENOKUR RIORDAN PLLC

8 /s/ Alan J. Wenokur

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Alan J. Wenokur, WSBA # 13679
10 Attorney for BTS International, LLC